



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,750	04/30/2001	Louis Arque	K35A0767	4477

25235 7590 03/18/2004
HOGAN & HARTSON LLP
ONE TABOR CENTER, SUITE 1500
1200 SEVENTEENTH ST
DENVER, CO 80202

EXAMINER

NGUYEN, LE V

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 03/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/846,750	Applicant(s) ARQUIE ET AL.	
	Examiner Le Nguyen	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 April 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

- a) It does not identify the city and either state or foreign country of residence of each inventor. The residence information may be provided on either on an application data sheet or supplemental oath or declaration; and,
- b) It does not identify the mailing address of each inventor. A mailing address is an address at which an inventor customarily receives his or her mail and may be either a home or business address. The mailing address should include the ZIP Code designation. The mailing address may be provided in an application data sheet or a supplemental oath or declaration. See 37 CFR 1.63(c) and 37 CFR 1.76.

Drawings

2. The drawings are objected to because it is not clear in figure 4 what reference character "310" is supposed to designate. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: "Network50" of line22, page 3 appears to contain a typographical error.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-4, 7-11, 14, 15 and 18-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker et al. ("Walker", US 6,594,696 B1).

5. As per claim 1, Walker teaches a computer-implemented method of displaying device port information in a network topology display, comprising: displaying a device node in a network topology display, the displayed device node representing a connection device in a network, the connection device having one or more connection ports for connecting to one or more devices in the network; displaying one or more connection paths coupled to the displayed device node, the connection paths representing connections to the one or more ports of the connection device; and selectively expanding the displayed device node in response to a user selection, wherein the expanded node includes port information for each of the one or more ports having a connection to another device in the network (fig. 4; col. 8, line 19 through col. 9, line 33).

As per claim 2, Walker teaches a computer-implemented method of displaying device port information in a network topology display wherein the displayed device node represents a connection device selected from the group consisting of a switch, a hub and a router (figs. 1 and 4; col. 3, line 47 through col. 4, line 28; col. 5, lines 23-39).

As per claim 3, Walker teaches a computer-implemented method of displaying device port information in a network topology display wherein the port information includes the port number (fig. 4, col. 5, lines 23-39).

As per claim 4, Walker teaches a computer-implemented method of displaying device port information in a network topology display wherein the port information includes a port connection type indicator (fig. 4, col. 5, lines 23-39).

As per claim 7, Walker teaches a computer-implemented method of displaying device port information in a network topology display wherein the displayed device node represents the connection device and one or more devices connected to the connection device (fig. 4).

Claims 8 and 20 are individually similar in scope to claim 1 and are therefore rejected under similar rationale.

Claims 9 and 21 are individually similar in scope to claim 2 and are therefore rejected under similar rationale.

Claim 10 is similar in scope to claim 3 and is therefore rejected under similar rationale.

Claim 11 is similar in scope to claim 4 and is therefore rejected under similar rationale.

Claim 14 is similar in scope to claim 7 and is therefore rejected under similar rationale.

As per claim 15, Walker teaches a computer-implemented method of displaying device port information in a network topology display wherein the user selection includes selecting the displayed device node with a user input device (col. 3, lines 60-61; col. 4, lines 42-47; col. 5, lines 23-25).

As per claim 18, Walker teaches a computer-implemented method of displaying device port information in a network topology display comprising removing the displayed port

Art Unit: 2174

information from the display in response to a user selection to remove port information (figs. 1 and 4; col. 3, line 47 through col. 4, line 28; col. 5, lines 23-39; *port information is displayed only as long as users' pointers rest on the graphical representation*).

As per claim 19, Walker teaches a computer-implemented method of displaying device port information in a network topology display wherein the displayed device node represents the connection device and one or more devices connected to the connection device (figs. 1 and 4).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 5, 6, 12, 13, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. ("Walker", US 6,594,696 B1) in view of Dev et al. ("Dev", US 5,261,044).

As per claim 5, although Walker teaches a computer-implemented method of displaying device port information in a network topology display wherein selectively expanding includes displaying the port information proximal the connection bar one or more ports having a connection (fig. 4), Walker does not explicitly disclose displaying the port information proximal the connection bar for each of the one or more ports having a connection. Dev teaches a computer-implemented method of displaying device port information in a network topology display wherein selectively expanding includes displaying a connection bar and displaying the port information proximal the connection bar for each of the one or more ports having a

Art Unit: 2174

connection (figs. 7A-8B; col. 13, line 30-col. 14, line 25). Therefore, it would have been obvious to an artisan at the time of the invention to include Dev's method of displaying device port information in a network topology display wherein selectively expanding includes displaying a connection bar to Walker's method of displaying device port information in a network topology display wherein selectively expanding includes displaying the port information proximal the connection bar for each of the one or more ports having a connection in order to provide users with a method of traversing between location and topological views to obtain any necessary information regarding the configuration of the network all at once.

As per claim 6, the modified Walker and Dev teaches a computer-implemented method of displaying device port information in a network topology display wherein the displayed port information for each port is displayed proximal the connection bar in a location indicating the relative location of the corresponding connected device in the network topology display (Dev: figs. 7A-8B).

Claims 12 and 23 are individually similar in scope to claim 5 and are therefore rejected under similar rationale.

Claims 13 and 24 are individually similar in scope to claim 6 and are therefore rejected under similar rationale.

8. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. ("Walker", US 6,594,696 B1) in view of Dev et al. ("Dev", US 5,261,044).

As per claim 16, although Walker teaches a computer-implemented method of displaying device port information in a network topology display wherein the user selection includes selecting a show ports option by clicking on icons (figs. 1 and 4; col. 3, line 47 through col. 4,

Art Unit: 2174

line 28; col. 5, lines 23-39), Walker does not explicitly disclose the user selection to include selecting a show ports option from a menu of options. Dev teaches a computer-implemented method of displaying device port information in a network topology display wherein the user selection includes both selecting a show ports option by clicking on icons *and* selecting a show ports option from a menu of options (col. 14, lines 9-13). Therefore, it would have been obvious to an artisan at the time of the invention to include Dev's method of selecting a show ports option from a menu of options in a computer-implemented method of displaying device port information in a network topology display with Walker's method of displaying device port information in a network topology display wherein the user selection includes both selecting a show ports option by clicking on icons in a computer-implemented method of displaying device port information in a network topology display in order to provide an additional method of selection that is common to window based displays.

As per claim 17, the modified Walker and Dev teaches a computer-implemented method of displaying device port information in a network topology display comprising displaying the menu of options in response to a user selection of the displayed device node (Dev: col. 13, line 30 through col. 14, line 13).

9. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. ("Walker", US 6,594,696 B1).

As per claim 22, although Walker teaches a computer-implemented method of displaying device port information in a network topology display wherein the network is a LAN, Walker does not explicitly disclose a computer-implemented method of displaying device port information in a network topology display wherein the network is a SAN. Official Notice is

taken that SAN is well known in the art. Therefore, it would have been obvious to an artisan at the time of the invention to include a SAN to Walker's LAN in order to provide the scalability, speed and manageability required in environments that demand high data availability.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hansen (US 5,838,907) teaches configuration manager for network devices and an associated method for providing configuration information thereto.

Mayo et al. (US 5,751,965) teach network connection status monitor and display.

Chin et al. (US 6,456,301 B1) teach method and apparatus for displaying health status of network devices.

Hansen et al. (US 6,493,755 B1) teach automatic notification rule definition for a network management system.

Dev et al. (US 6,049,828) teach method and apparatus for monitoring the status of non-pollable devices in a computer network.

Dobbins et al. (US 5,951,649) teach a network interconnecting apparatus having a separate forwarding engine object at each interface.

Dobbins et al. (US 5,825,772) teach distributed connection-oriented services for switched communications networks.

Iizuka (US 2001/0009018 A1) teaches information processing apparatus, method and memory medium therefor.

Art Unit: 2174

Inquires

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lê whose telephone number is (703) 305-7601. The examiner can normally be reached on Monday - Friday from 5:30 am to 2:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306 [Official Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

LVN
Patent Examiner
March 6, 2004

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100